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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,095	06/12/2000	William E. Casey	RSWC	5639
7590	07/13/2005		EXAMINER	
Robert Samuel Smith 1263 Emory Street San Jose, CA 95126			BRITTAIN, JAMES R	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/592095

EXAMINER
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ART UNIT	PAPER
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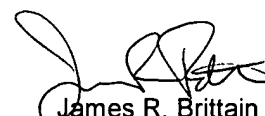
07102005

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Commissioner for Patents

See attached Notice of Non-Responsive Amendment.

  
James R. Brittain  
Primary Examiner  
Art Unit: 3677

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

09/592,095

Examiner

James R. Brittain

Applicant(s)

CASEY, WILLIAM E.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 04/19/2005 and 05/26/2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☒ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☒ C. Other See Continuation Sheet.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

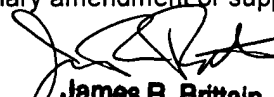
1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

  
**James R. Brittain**  
Primary Examiner

Continuation of 1(c) Other: Replacement pages are not an acceptable form of submitting amendments to the specification. Amendments can be made by replacing paragraphs, replacing sections or by a substitute specification. Further, unambiguous instructions must be provided. See 37 CFR 1.121(a).

Continuation of 3(c) Other: The objection to the drawings for not showing reference numeral "21B" from page 7, line 4 of the specification has not been addressed and still stands. The objection to figure 1 submitted July 6, 2004 because the reference numerals drawn by freehand are of poor quality so as to be difficult to read has not been addressed and still stands. The objections are not held in abeyance and failure to address them will result in abandonment of the application. The replacement sheet for figure 5 correcting the reference numeral is accepted.

Continuation of 4(e) Other: Claims 18, 20 and 24 are marked-up to show amendments, but the status identifier "(previously presented)" means there is no current amendment. The status identifier or claim must be corrected so as to be consistent and not misdescriptive.